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ACTIVITIES OF THOSE FOREIGN ECONOMIC AND OTHER INTERESTS WHICH IMPEDE THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Report of the Special Political and Decolonization Committee
(Fourth Committee)

Rapporteur: Mr. Anuson CHINVANNO (Thailand)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled:

> "Activities of those foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa".

At the same meeting, the Assembly decided to allocate the item to the Special Political and Decolonization Committee (Fourth Committee).

2. At its 2nd meeting, on 6 October, the Fourth Committee decided to hold a general debate covering agenda items 18, 116, 117, 118 and 12, and 119 on the understanding that individual proposals on matters covered by those items would be considered separately.

3. At the same meeting, the Fourth Committee decided, without objection and in accordance with established practice, to consider, in conjunction with agenda

item 117, chapter VI of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to military activities and arrangements by colonial Powers in Territories under their administration. 1/

II. CONSIDERATION OF PROPOSALS

4. The Fourth Committee considered item 117 at its 2nd to 6th, 11th and 12th meetings, between 6 and 29 October (see A/C.4/48/SR.2-6, 11 and 12). The general debate on the items referred to above, including the present item, took place at the 4th to 6th meetings, between 14 and 18 October.

5. Also at the 2nd meeting, on 6 October, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples made a statement in which he gave an account of the relevant activities of the Special Committee during 1993 and drew attention to chapter V of the report of the Committee relating to item 117, 1/ as well as the relevant documentation (A/AC.109/1153, 1155-1158 and 1161). The Rapporteur also gave an account of the Committee's consideration, in pursuance of paragraph 14 of General Assembly decision 47/409 of 16 November 1992, of the question of military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and drew attention to chapter VI of the report of the Committee, 1/ as well as the relevant documentation (A/AC.109/1144, 1149 and 1151). In his introductory statement, the Rapporteur said that, in view of the recent developments concerning South Africa, the Special Committee had been holding consultations with a view to amending its recommendations to the General Assembly.

6. At the 11th meeting, on 28 October, the Chairman of the Fourth Committee drew attention to documents A/C.4/48/L.11 and L.12, containing amendments submitted by Papua New Guinea on behalf of the States members of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating, respectively, to the draft resolution contained in document A/48/23 (Part III), chapter V, paragraph 13, and to the draft decision contained in document A/48/23 (Part III), chapter VI, paragraph 14.

7. At the 12th meeting, on 29 October, the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples introduced the amendments, as follows:

A/C.4/48/L.11 (amendments to A/48/23 (Part III), chap. V, para. 13)

(a) The title of the item would be replaced by:

1/ See A/48/23 (Part III). To be incorporated in Official Records of the General Assembly, Forty-eighth Session, Supplement No. 23 (A/48/23).

"Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination";

(b) The first preambular paragraph would be replaced by:

"Having considered the item entitled "Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination,";

(c) In the ninth preambular paragraph, the words "has played" would be replaced by "played";

(d) In operative paragraph 4, the word "apartheid" would be deleted;

(e) Operative paragraph 5, which read:

"5. Calls upon all States to maintain the existing measures against the apartheid regime as specified in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, annex to General Assembly resolution S-16/1 of 14 December 1989;",

would be deleted and operative paragraph 6 renumbered as operative paragraph 5;

(f) Operative paragraph 7, which read:

"7. Calls upon those oil-producing and oil-exporting countries that have not yet done so to take effective measures against the oil companies concerned so as to terminate the supply of crude oil and petroleum products to the Government of South Africa;",

would be deleted and operative paragraphs 8 to 15 renumbered as operative paragraphs 6 to 13;

(g) In new operative paragraph 11 (former operative paragraph 13), the phrase "and in the struggle against apartheid" would be deleted.

A/C.4/48/L.12 (amendments to A/48/23 (Part III), chap. VI, para. 14)

(a) Operative paragraph 5, which read:

"5. The General Assembly welcomes the important changes taking place in South Africa aimed at facilitating the commencement of substantive constitutional negotiations. The Assembly notes that, these developments notwithstanding, apartheid remains and that as a result there is a continuing threat to the peace and security of the region.",

would be deleted;

(b) Operative paragraph 6, which read:

"6. The General Assembly condemns the continued military and intelligence collaboration between South Africa and certain countries, which constitutes a violation of the military embargo imposed against South Africa by the Security Council in its resolution 418 (1977) of 4 November 1977.",

would be deleted;

(c) The succeeding operative paragraphs would be renumbered accordingly.

8. At the same meeting, the Fourth Committee adopted the amendments contained in documents A/C.4/48/L.11 and L.12 (see para. 7) without a vote.

9. At its 12th meeting, on 29 October, the Fourth Committee adopted the draft resolution contained in paragraph 13 of chapter V of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/48/23 (Part III)), as amended, by a recorded vote of 89 to 35 with 3 abstentions (see para. 11). 2/ The voting was as follows: 3/

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Grenada, Guatemala, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Philippines, Qatar, Republic of Korea, Saudi Arabia, Senegal, Singapore, Slovakia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe.

2/ A statement in explanation of vote was made by the representative of Belgium (on behalf also of the European Community and its member States).

3/ Subsequently, the delegations of Panama and Kuwait informed the Committee that they had intended to vote in favour. The delegation of Rwanda indicated that, had it been present at the time of the vote, it would have voted in favour, and the delegation of Armenia indicated that, had it been present, it would have voted against.

Against: Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kuwait, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Congo, Uruguay.

10. At its 12th meeting, on 29 October, the Fourth Committee adopted the draft decision contained in paragraph 14 of chapter VI of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/48/23 (Part III)), as amended, by a recorded vote of 92 to 34, with 3 abstentions (see para. 12). 2/ The voting was as follows: 4/

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Central African Republic, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Grenada, Guatemala, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Republic of Korea, Saudi Arabia, Senegal, Singapore, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe.

Against: Armenia, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Congo, Japan.

4/ The delegation of Rwanda informed the Committee that, had it been present at the time of the vote, it would have voted in favour.

III. RECOMMENDATIONS OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

11. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolution:

Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination

The General Assembly,

Having considered the item entitled "Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item, 5/

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as all its other resolutions on this subject, including, in particular, resolution 46/181 of 19 December 1991, endorsing the Plan of Action for the International Decade for the Eradication of Colonialism, 6/

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that constitutes an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and obstructs efforts aimed at the elimination of colonialism, apartheid and racial discrimination is a direct violation of the rights of the inhabitants and of the principles of the Charter and all relevant resolutions of the United Nations,

Reaffirming that the natural resources are the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories,

Concerned about the activities of those foreign economic, financial and other interests that exploit the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the

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5/ A/48/23 (Part III), chap. V.

6/ See A/46/634/Rev.1 of 13 December 1991.

inhabitants of those Territories and deprive them of their right to control the wealth of their countries,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity, the South Pacific Forum and the Caribbean Community,

Recognizing the crucial and decisive role that the imposition of international sanctions played in applying the necessary pressure on the South African regime to undertake significant measures towards the eradication of apartheid,

1. Reaffirms the inalienable right of the peoples of colonial and Non-Self-Governing Territories to self-determination and independence and to the enjoyment of the natural resources of their Territories, as well as their right to dispose of those resources in their best interests;

2. Reiterates that any administering Power that deprives the colonial peoples of Non-Self-Governing Territories of the exercise of their legitimate rights over their natural resources, or subordinates the rights and interests of those peoples to foreign economic and financial interests, violates the solemn obligations it has assumed under the Charter of the United Nations;

3. Reaffirms its concern over the activities of those foreign economic, financial and other interests which continue to exploit the natural resources that are the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories in the Caribbean, the Pacific and other regions, as well as their human resources, to the detriment of their interests, thus depriving them of their right to control the resources of their Territories and impeding the realization by those peoples of their legitimate aspirations for self-determination and independence;

4. Condemns those activities of foreign economic and other interests in the colonial and Non-Self-Governing Territories which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and the efforts to eliminate colonialism and racial discrimination;

5. Calls once again upon all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in colonial and Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories;

6. Reiterates that the exploitation and plundering of the marine and other natural resources of colonial and Non-Self-Governing Territories by foreign economic interests, in violation of the relevant resolutions of the

United Nations, is a threat to the integrity and prosperity of those Territories;

7. Invites all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of colonial and Non-Self-Governing Territories over their natural resources is fully respected and safeguarded;

8. Urges the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the colonial and Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

9. Calls upon the administering Powers concerned to ensure that no discriminatory and unjust wage systems or working conditions prevail in the Territories under their administration and to apply in each Territory a uniform system of wages to all the inhabitants without any discrimination;

10. Requests the Secretary-General to continue, through all means at his disposal, to inform world public opinion of those activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

11. Appeals to mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

12. Decides to continue to monitor closely the situation in the colonial and Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of the indigenous peoples and at promoting the economic and financial viability of those Territories, in order to facilitate and accelerate the exercise by the peoples of those Territories of their right to self-determination and independence;

13. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its forty-ninth session.

* * *

12. The Special Political and Decolonization Committee (Fourth Committee) also recommends to the General Assembly the adoption of the following draft decision:

Military activities and arrangements by colonial Powers in Territories under their administration

1. The General Assembly, having considered the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to an item on the agenda of the Special Committee entitled "Military activities and arrangements by colonial Powers in Territories under their administration" 7/ and recalling its resolution 1514 (XV) of 14 December 1960 and all other relevant resolutions and decisions of the United Nations relating to military activities in colonial and Non-Self-Governing Territories, reaffirms its strong conviction that military bases and installations in the Territories concerned could constitute an obstacle to the exercise by the people of those Territories of their right to self-determination and reiterates its strong views that existing bases and installations, which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, should be withdrawn.

2. Aware of the presence of such bases and installations in some of those Territories, the General Assembly urges the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States.

3. The General Assembly reiterates its concern that military activities and arrangements by colonial Powers in Territories under their administration might run counter to the rights and interests of the colonial peoples concerned, especially their right to self-determination and independence. The Assembly once again calls upon the administering Powers concerned to terminate such activities and to eliminate such military bases in compliance with the relevant resolutions of the Assembly.

4. The General Assembly reiterates that the colonial and Non-Self-Governing Territories and areas adjacent thereto should not be used for nuclear testing, dumping of nuclear wastes or deployment of nuclear and other weapons of mass destruction.

5. The General Assembly deplores the continued alienation of land in colonial and Non-Self-Governing Territories, particularly in the small island Territories of the Pacific and Caribbean regions, for military installations. The large-scale utilization of the local resources for this purpose could adversely affect the economic development of the Territories concerned.

6. The General Assembly requests the Secretary-General to continue to inform world public opinion of those military activities and arrangements in colonial and Non-Self-Governing Territories which constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

7/ A/48/23 (Part III), chap. VI.

7. The General Assembly requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the Assembly at its forty-ninth session.